



Dkt. 0687/74768-AAA/JPW/GJG/JRM

AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Wayne Graham et al.  
Serial No. : 10/821,726 Examiner : Vivlemore, T.A.  
Filed : April 8, 2004 Art Unit : 1635  
For : SYNTHETIC GENES AND GENETIC CONSTRUCTS

1185 Avenue of the Americas  
New York, New York 10036  
May 2, 2008

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL FROM THE EXAMINER'S DECISION  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants hereby appeal to the Board from the decision of the Examiner mailed November 6, 2007 finally rejecting pending claims 34 and 88 to 133 in connection with the above-identified application. The required fee for filing a Notice of Appeal under 37 C.F.R. § 1.17(b) is five hundred and ten dollars (\$510.00) and a check for this amount is enclosed. Applicants are concurrently filing a Petition For A Three-Month Extension Of Time, making this application pending today.

05/05/2008 NNGUYEN1 00000065 10821726

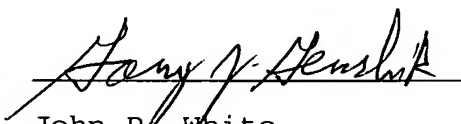
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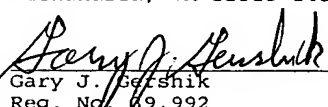
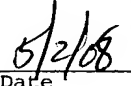
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No fee, other than the enclosed fee of \$510.00, is deemed necessary in connection with the filing of this Notice. However, if any fee is required authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:	
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 Gary J. Gershik Reg. No. 39,992	 Date